



10-21-04

IFW

PATENT  
Attorney Docket No. 859/US/3  
Express Mail Label No. EV 423773199 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Male et al.	Confirmation No: 2069
Appln. No.	: 10/658,032	Group Art Unit: 3752
Filed	: September 9, 2003	Examiner: Bui, Thach H.
Title	: FLEXIBLE SHOWER ARM ASSEMBLY	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
(Under 37 C.F.R. §§ 1.97(c)(1), 1.97(e)(1) and 1.98)

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner is requested to consider the reference noted on the enclosed Form PTO-1449 during examination of the above-identified patent application. The reference is submitted for the Examiner's consideration and is submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting this reference, no representation is made or implied that the reference is or is not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. A copy of the cited reference is provided herewith.

The reference cited on the attached PTO-1449 was cited in a European search report dated August 3, 2004, in corresponding European Patent Application No. 98901203.4. Also cited in the search report is Netherlands Patent No. NL8902957. This patent was previously cited, and a copy was provided to the Patent Office, in an Information Disclosure Statement filed on December 16, 2003. A copy of the European search report is enclosed herewith.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a

Serial No. 10/658,032  
Attorney Docket No. 859/US/3  
Express Mail Label No. EV 423773199 US

notice of allowance under 37 C.F.R. § 1.311. Accordingly, this Information Disclosure Statement requires a statement according to 37 C.F.R. § 1.97(e).

**Statement Under 37 C.F.R. § 1.97(e)(2)**

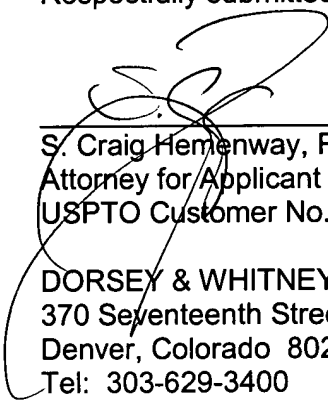
Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

Should the Examiner have any questions please contact the undersigned attorney.

Dated: 19 October 2004.

Respectfully submitted,



S. Craig Hemenway, Registration No. 44,759  
Attorney for Applicant  
USPTO Customer No. 20686

DORSEY & WHITNEY LLP  
370 Seventeenth Street, Suite 4700  
Denver, Colorado 80202-5647  
Tel: 303-629-3400  
Fax: 303-629-3450

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
859/US/3

APPLN. NO.  
10/658,032

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT:  
Male et al.

FILING DATE  
September 9, 2003

ART UNIT  
3752

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

### U.S. PUBLICATION DOCUMENTS

EXAMINER INITIAL		PUBLICATION NUMBER	PUBLICATION DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	1.	DE4142198 C	04/29/1993	Germany			X	

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER INITIAL	
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



PATENT  
Attorney Docket No.: 859/US/3  
Express Mail Label No.: EV 423773199 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Male et al.	
Appln. No.	: 10/658,032	Confirmation No.: 2069
Filed	: September 9, 2003	Group Art Unit: 3752
Title	: FLEXIBLE SHOWER ARM ASSEMBLY	Examiner: Bui, Thach H.

CERTIFICATE OF MAILING BY EXPRESS MAIL


MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Supplemental Information Disclosure Statement (2 pages);
2. Form PTO-1449 (1 page);
3. Copy of One (1) Reference;
4. Copy of European Search Report (4 pages);
5. Certificate of Mailing by Express Mail (1 page); and
6. Return Card

relating to the above application, were deposited as "Express Mail" under 37 CFR § 1.10, Mailing Label No. EV 423773199 US, with the United States Postal Service addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 19, 2004.

  
\_\_\_\_\_  
Mailer's Signature  
Print Name: Jane Lolis

Dorsey & Whitney LLP

Tel: 303-629-3400  
Fax: 303-629-3450

EV423773199US